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C O N F I D E N T I A L SECTION 01 OF 02 HAVANA 010078

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STATE DEPT FOR WHA/CCA

E.O. 12958: DECL: 05/11/2016
TAGS: [PHUM](#) [KDEM](#) [PREL](#) [SOCI](#) [CU](#)
SUBJECT: PAYA PRESENTS PROPOSAL FOR DEMOCRATIC CONSTITUTION

REF: HAVANA 8662

HAVANA 00010078 001.2 OF 002

Classified By: COM Michael Parmly for Reason 1.4(d).

¶1. (C) Summary: Leading Cuban pro-democracy activist Oswaldo Paya has unveiled his latest push for a democratic Constitution, calling for a legal framework that would embrace multiple political parties, private enterprise and "social justice." The document, entitled "All Cubans," stems from a "National Dialogue" that Paya, his Christian Liberation Movement (MCL) and others carried out with input from at least 12,000 participants. Paya told us May 11 that the Cuban Government "is not at all pleased" with the new document, and said harassment of his colleagues is increasing. He said three political prisoners who are MCL members are carrying out a one-week hunger strike over maltreatment. A fourth MCL official, who was verifying Varela Project signatures, has been detained. Paya expressed concern over the movement of groups of men into his neighborhood, saying his house could be attacked or searched. Paya urged Columbia University, which has offered him an honorary doctorate on May 17, to make public the GOC's failure to respond to Columbia's request for a Paya exit permit. End Summary.

¶2. (C) On May 10, 2002, Cuban pro-democracy activist Oswaldo Paya personally delivered to the National Assembly the Varela Project, the signature drive calling for a national referendum on political and economic reforms. Exactly four years later, after continued GOC rejection of the signature drive, Paya proposed a modified, democratic Constitution that accommodates multiple political parties, free enterprise and "social justice." The document, entitled "All Cubans," encompasses a modified Constitution, a new electoral law, a new law on associations, and a plan for change. Media coverage of the May 10 news conference at his house was broad and included CNN, AP, Reuters and Spanish television.

RECONCILIATION, SOVEREIGNTY, HUMAN RIGHTS

¶3. (C) While we are still reviewing the 174-page document, its contents appear to be vintage Paya, with a heavy emphasis on reconciliation, national sovereignty and respect for human rights. The section of Cuba's "New Foreign Policy" is largely unchanged from a previous draft Paya shared with the COM. (That section calls for dialogue with the United States, debt forgiveness and a continuation of Cuba's medical program overseas, to the extent that it does not affect services to Cubans.) "All Cubans" also seeks to enshrine the right of all citizens to associate freely with any institution, political party, union, religious organization

or other group.

"HOSTILE ENVIRONMENT"

¶4. (C) Paya also said that in advance of May 20 -- which was celebrated as Independence Day from 1902 until the victory of Castro's Revolution -- the GOC is "creating a hostile environment" for dissidents. He said political prisoners (and MCL members) Alexis Rodriguez and Augustin Cervantes, held at Green Sea prison in Santiago, and Luis Enrique Ferrer, held at Boniato prison in the same province, are six days into a one-week hunger strike over maltreatment. Paya also said Jorge Aguilera, a MCL official from Bayamo, Granma province, has been detained since May 8, while he was verifying Varela Project signatures. Closer to home, Paya said he and his neighbors had noticed that groups of men have been positioned in houses near Paya's. He speculated that the GOC might be preparing an attack on or search of his house. Paya also warned that the GOC would be "only too happy" to use to its advantage any USG announcement on May 20 of measures to promote democracy in Cuba. "We certainly don't want our group linked to any such USG announcement," he said.

COLUMBIA UNIVERSITY

¶5. (C) Paya also referred to the honorary doctorate that Columbia University has offered him on May 17. The university has yet to receive a response from the Cuban Interests Section in Washington regarding Columbia's formal request for an exit permit for Paya. Paya wrote a note to Columbia, which USINT will forward to the university, calling on Columbia to make public the GOC's failure to respond, thus preventing Paya's travel.

HAVANA 00010078 002.2 OF 002

¶6. (U) We will continue to analyze "All Cubans" and report as appropriate.
PARMLY